



UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS
CONDITIONAL USE HEARING,
PUBLIC MEETING

May 27, 2015

7:15 p.m.

Approved

In Attendance:

Kevin C. Kerr, Chairperson
Guy A. Donatelli, Vice Chairperson
Catherine A. Tomlinson, Supervisor
John Good, Esquire
Cary B. Vargo, Township Manager

Gwen A. Jonik, Township Secretary
David Leh, P.E., Gilmore & Associates
Chris Williams, P.E., McMahon Associates
Mark Hagerty, Court Stenographer

Joseph Brion, Esquire
David Stauffer, Chester County Department of Facilities & Parks
Nick Feola, P.E.

The Hearing was held at the Township Building, 140 Pottstown Pike, Chester Springs, PA 19425.

Mr. Brion distributed the Applicant's Exhibits prior to the Hearing.

Mr. Kerr called the Hearing to order at 7:00 p.m., led the salute to the flag, and asked John Good, Township Solicitor, to conduct the Hearing. Mark Hagerty, Court Stenographer, recorded the proceedings.

Mr. Good summarized the Conditional Use Application submitted by the Chester County Department of Facilities and Parks seeking approval pursuant to Section 200-44.I.(10) of the Township Code to permit governmental use to improve the existing Struble Trail Trailhead at Dorlan Mill Road by removing the existing stone parking lot, installing a 32-space paved parking lot with associated storm water management facilities and extend the existing paved trail along a portion of the abandoned railroad bed located on the Property.

Mr. Good entered into the Record the following Board of Supervisors' Exhibits, advised the attendees that the Applicant would provide testimony, and questions could be asked of each witness at the conclusion of their testimony.

- B-1 Conditional Use Application dated December 4, 2014
- B-2 Fiscal Impact Statement dated December 2014
- B-3 Narrative of Differences between the December 2014 and November 2013 Conditional Use Applications, prepared by Bursich and dated December 9, 2014
- B-4 Preliminary Subdivision and Land Development Plan dated November 10, 2014
- B-5 Color Aerial Map dated December 2, 2014
- B-6 Letter of Submission - Revised Plan Sheets prepared by Bursich, February 25, 2015
- B-7 Revised Land Development Plans dated November 10, 2014, revised February 18, 2015
- B-8 Gilmore & Associates' Review Letter dated January 6, 2015
- B-9 Planning Commission's January 8, 2015 Meeting Minutes - Approved
- B-10 Shryock Brothers Comment Letter dated January 12, 2015
- B-11 Email from Kristin Camp, Esq. Waiving Hearing Timeframe, dated January 12, 2015
- B-12 Affidavit - Posting of Property dated May 14, 2015

Mr. Good asked if anyone was interested in becoming a Party to the Proceedings. John Shelton, on behalf of Shryock Brothers Inc., as a contiguous property owner, was entered as a Party.

Mr. Brion summarized the original conditional use application included the improvements to the parking lot, the trail crossing on Dorlan Mill Road, and extension of the existing trail system to the crossing. The County met with John Shelton regarding the location of the trail crossing in relation to the area on the Shryock property where the trail will eventually be extended. The County is modifying their Conditional Use Application and Land Development Plan to include only the improvements to the parking lot and connection to the existing trail. The County requests that the Hearing not be closed this evening and continued to a date certain to include the trail crossing and extension to the north side of Dorlan Mill Road. Mr. Good confirmed that tonight's proceedings are regarding the improvements to the east of Dorlan Mill Road and not extending the trail itself.

Mr. Brion proceeded to question Dave Stauffer regarding the improvements, which are to remove the 16-space gravel parking area and replace with a 32-space paved, 1-way parking lot, with storm water management improvements (rain garden) and security lighting (automatic on 8:00 p.m. / off 1-2 hours after dark).

There were no questions from the Board of Supervisors or Mr. Shelton. Brett Boden, 751 Dorlan Mill Road, inquired if restrooms are planned. Mr. Stauffer answered portable restrooms will continue to be used.

Mr. Brion proceeded to question Nick Feola regarding waivers from providing curbing in the parking lot, as it would inhibit the designed drainage into the rain garden; from providing sidewalks in the parking lot, as the traffic flow is designed as 1-way, which increases pedestrian safety; and to allow construction of the parking lot and rain garden within a 75-foot buffer at the top of a stream bank, as it's a constrained site and a riparian buffer mix and landscaping will be planted. The County also seeks relief from the storm water ordinance freeboard requirement. The rain garden is only 2' deep, which isn't large enough to require a freeboard. The County seeks preliminary and final land development approval at the same time. The County will comply with all of the Township Engineers' comments.

Mr. Good inquired if that compliance included combining the parcels as suggested by the Township Engineer. Mr. Brion answered the parcels within Upper Uwchlan Township will be combined.

There were no questions from the Board of Supervisors. Mr. Shelton questioned the distance between the access road and the stream bank, and the access road and a residential property line.

Mr. Good admitted into the record Applicant's Exhibits A-1 thru A-8.

Mr. Brion requested the Board of Supervisors approve the modified conditional use plan, which limits the initial approval to just the 32-space parking lot improvements and connection to the existing trail; and then continue the hearing to another time for the balance of the Plan, which is the extension of the trail and crossing of Dorlan Mill Road.

Mr. Good closed tonight's Hearing and asked if the Board cared to render their Decision this evening as it was also advertised as a public meeting. Mr. Kerr answered that the Board did choose to render their Decision and upon a favorable vote by the three Board Members, granted the approval of the modified (limited) Conditional Use and limited Land Development Plan. The continued Hearing will be scheduled and advertised for Conditional Use and Land Development approval of the remaining modifications.

Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 7:45 p.m.

Respectfully submitted,
Gwen A. Jonik
Township Secretary